

**U.S. District Court
Southern District of Iowa (Central)
CIVIL DOCKET FOR CASE #: 4:14-cv-00450-JAJ-RAW**

Scheffler et al v. Daiichi Sankyo, Inc. et al
Assigned to: Chief Judge John A. Jarvey
Referred to: Magistrate Judge Ross A Walters (R)
Cause: 28:1332 Diversity-Product Liability

Date Filed: 11/06/2014
Date Terminated: 04/07/2015
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod. Liability
Jurisdiction: Diversity

Plaintiff

Kalawatti Kay Scheffler

represented by **Gale D Pearson**
PEARSON RANDALL & SCHUMACHER
P.A.
100 S. Fifth Street
Suite 1025
Minneapolis, MN 55402
612-767-7500
Fax: 612-767-7501
Email: gpearson@prslegal.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Larry D Helvey
2735 First Avenue SE
Suite 101
Cedar Rapids, IA 52402
319 362 0421
Fax: 319 362 3496
Email: lhelvey@helveylaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent J Moccio
BENNEROTTE & ASSOCIATES, P.A.
3085 Justice Way,
Suite 200
Eagan, MN 55121
651-203-5990
Fax: 651-288-0860
Email: Vincent@bennerotte.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

James E. Scheffler

represented by **Gale D Pearson**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

ATTORNEY TO BE NOTICED

Larry D Helvey

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Vincent J Moccio

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

V.

Defendant

Daiichi Sankyo, Inc.

doing business as

Sankyo USA Development

doing business as

Sankyo Pharma Development

doing business as

Sankyo Pharma, Inc.

agent of

Daiichi Sankyo Pharma Development

doing business as

Daiichi Pharmaceuticals, Inc.

agent of

Daiichi Medical Research Institute, Inc.

represented by **Michael C. Zogby**

DRINKER BIDDLE & REATH LLP

600 Camps Drive

Florham Park, NJ 07932

973-549-7209

Fax: 973-360-9831

Email: michael.zogby@dbr.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Susan Margaret Sharko

DRINKER BIDDLE & REATH LLP

600 Camps Drive

Florham Park, NJ 07932

973-549-7350

Fax: 973-360-9831

Email: susan.sharko@dbr.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Nancy J Penner

SHUTTLEWORTH & INGERSOLL

115 THIRD STREET SE

SUITE 500

CEDAR RAPIDS, IA 52401

319 365 9461

Fax: 365 8443

Email: njp@shuttleworthlaw.com

ATTORNEY TO BE NOTICED

Robert D Houghton

SHUTTLEWORTH & INGERSOLL

115 THIRD STREET SE

SUITE 500

CEDAR RAPIDS, IA 52401

319 365 9461

Fax: 365 8443

Email: rdh@shuttleworthlaw.com

ATTORNEY TO BE NOTICED

Defendant

Daiichi Sankyo US Holdings, Inc

parent company of Daiichi Sankyo, Inc.

represented by **Michael C. Zogby**

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Susan Margaret Sharko

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Nancy J Penner

(See above for address)

ATTORNEY TO BE NOTICED

Robert D Houghton

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Forest Laboratories, LLC

formerly known as

Forest Laboratories, Inc.

represented by **Michael C. Zogby**

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Susan Margaret Sharko

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Nancy J Penner

(See above for address)

ATTORNEY TO BE NOTICED

Robert D Houghton

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Forest Pharmaceuticals Inc

represented by **Michael C. Zogby**

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Susan Margaret Sharko

(See above for address)

*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Nancy J Penner**

(See above for address)

*ATTORNEY TO BE NOTICED***Robert D Houghton**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Forest Research Institute, Inc.**represented by **Michael C. Zogby**

(See above for address)

*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Susan Margaret Sharko**

(See above for address)

*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Nancy J Penner**

(See above for address)

*ATTORNEY TO BE NOTICED***Robert D Houghton**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/06/2014	<u>1</u>	COMPLAINT against Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc. Filing fee paid in the amount of \$ 400, receipt number 0863-2455023., filed by Kalawatti Kay Scheffler, James E. Scheffler. Notice of Dismissal for lack of Service deadline set for 3/6/2015. Rule 16 Notice of Dismissal set for 3/6/2015. (Attachments: # <u>1</u> Civil Cover Sheet)(Helvey, Larry) (Entered: 11/06/2014)
11/07/2014	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice Receipt Number: 0863-2456073 Fee paid in the amount of \$75. by James E. Scheffler, Kalawatti Kay Scheffler. Motions referred to Ross A. Walters. (Attachments: # <u>1</u> Certificate of Good Standing)(Helvey, Larry) (Entered: 11/07/2014)
11/10/2014	<u>3</u>	TEXT ORDER granting <u>2</u> Motion for Leave to Appear Pro Hac Vice Vincent J. Moccio. Signed by Clerk of Court Marge Krahn on 11/10/2014. (dv,) (Entered: 11/10/2014)
01/06/2015	<u>4</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; Daiichi Sankyo US Holdings, Inc waiver served on 11/20/2014, answer due 1/20/2015. (Helvey, Larry) (Entered: 01/06/2015)

01/06/2015	<u>5</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; Daiichi Sankyo, Inc. waiver served on 11/20/2014, answer due 1/20/2015. (Helvey, Larry) (Entered: 01/06/2015)
01/06/2015	<u>6</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; Forest Laboratories, LLC waiver served on 11/20/2014, answer due 1/20/2015. (Helvey, Larry) (Entered: 01/06/2015)
01/06/2015	<u>7</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; Forest Pharmaceuticals Inc waiver served on 11/20/2014, answer due 1/20/2015. (Helvey, Larry) (Entered: 01/06/2015)
01/06/2015	<u>8</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; (Helvey, Larry) (Entered: 01/06/2015)
01/06/2015	<u>9</u>	WAIVER OF SERVICE Returned Executed filed by Kalawatti Kay Scheffler, James E. Scheffler; Forest Research Institute, Inc. waiver served on 11/20/2014, answer due 1/20/2015. (Helvey, Larry) (Entered: 01/06/2015)
01/16/2015	<u>10</u>	<i>Forest Laboratories, LLC and Pharmaceuticals, Inc. and Forest Research Institute, Inc.'s</i> ANSWER to Complaint by Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc..(Houghton, Robert) (Entered: 01/16/2015)
01/16/2015	<u>11</u>	<i>Daiichi Sankyo, Inc. and Daiichi Sankyo U.S. Holdings, Inc.'s</i> ANSWER to Complaint by Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc..(Houghton, Robert) (Entered: 01/16/2015)
01/16/2015	<u>12</u>	Corporate Disclosure/Statement of Interest by Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc.. (Houghton, Robert) (Entered: 01/16/2015)
01/16/2015	<u>13</u>	Corporate Disclosure/Statement of Interest by Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc.. (Houghton, Robert) (Entered: 01/16/2015)
01/16/2015	<u>14</u>	NOTICE of Appearance by Nancy J Penner on behalf of Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc. (Penner, Nancy) (Entered: 01/16/2015)
01/19/2015	<u>15</u>	NOTICE of Change of Address by Vincent J Moccio (Moccio, Vincent) (Entered: 01/19/2015)
02/10/2015	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice Receipt Number: 0863-2531921 Fee paid in the amount of \$75. by Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc..Motions referred to Ross A. Walters. (Penner, Nancy) (Entered: 02/10/2015)
02/10/2015	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice Receipt Number: 0863-2531934 Fee paid in the amount of \$75. by Daiichi Sankyo US Holdings, Inc, Daiichi Sankyo, Inc., Forest Laboratories, LLC, Forest Pharmaceuticals Inc, Forest Research Institute, Inc..Motions referred to Ross A. Walters. (Penner, Nancy) (Entered: 02/10/2015)
02/11/2015	<u>18</u>	TEXT ORDER granting <u>16</u> Motion for Leave to Appear Pro Hac Vice Susan M. SharkoMichael C. Zogby; granting <u>17</u> Motion for Leave to Appear Pro Hac Vice Susan M. SharkoMichael C. Zogby. Signed by Clerk Marge Krahn on 2/11/2015. (dv,) (Entered: 02/11/2015)
02/11/2015	<u>1</u>	Recalled Magistrate Ross A Walters (R) added. Magistrate Judge Ross A. Walters no longer assigned to case. (bp) (Entered: 02/11/2015)
02/25/2015	<u>19</u>	

		PROPOSED SCHEDULING ORDER AND DISCOVERY PLAN . (Penner, Nancy) (Entered: 02/25/2015)
02/27/2015	<u>20</u>	ORDER adopting <u>19</u> PROPOSED SCHEDULING ORDER AND DISCOVERY PLAN: Motions to Add Parties due by 5/15/2015. Motions to Amend Pleadings due by 5/15/2015. Plaintiffs Expert Witness Disclosures due by 2/29/2016. Defendants Expert Witness Disclosures due by 4/22/2016. Plaintiffs Rebuttal Witness Disclosures due by 5/20/2016. Discovery Deadline 7/22/2016. Dispositive Motion Deadline 8/26/2016. Final Pretrial Conference set for 1/20/2017 at 11:00 AM in Phone Hearing before Magistrate Judge Ross A. Walters. Jury Trial set for 2/13/2017 at 09:00 AM in Des Moines Courthouse before Judge John A. Jarvey. Est. 12–14 days. Signed by Recalled Magistrate Ross A Walters (R) on 2/27/2015. (kln) (Entered: 02/27/2015)
02/27/2015	<u>21</u>	ORDER REGARDING FINAL PRETRIAL CONFERENCE REQUIREMENTS. Signed by Recalled Magistrate Ross A Walters (R) on 2/27/2015. (kln) (Entered: 02/27/2015)
02/27/2015	<u>22</u>	MOTION for Leave to Appear Pro Hac Vice Receipt Number: 0863–2549660 Fee paid in the amount of \$75. by James E. Scheffler, Kalawatti Kay Scheffler.Motions referred to Ross A Walters (R). (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Pearson, Gale) (Entered: 02/27/2015)
02/27/2015	<u>23</u>	TEXT ORDER granting <u>22</u> Motion for Leave to Appear Pro Hac Vice Gale D. Pearson. Signed by Clerk, Marge Krahn (R) on 2/27/2015. (sk,) (Entered: 02/27/2015)
03/16/2015	<u>24</u>	Reset Hearings: Final Pretrial Conference set for 1/20/2017 11:00 AM in Phone Hearing before Recalled Magistrate Ross A Walters (R). (sk,) (Entered: 03/16/2015)
04/03/2015	<u>24</u>	MINUTE ORDER — TO THE TRANSFEROR JUDGES/CLERKS OF THE ASSOCIATED CASES: This transmittal is for informational purposes only. No action is required at this time. A transfer order has been filed today in this litigation. Rule 2.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, states...An order to transfer or remand pursuant to 28 U.S.C. 1407 shall be effective only upon its filing with the clerk of the transferee district court. You will receive a certified copy of this order from the transferee court along with notification of the newly assigned case number(s) in that district. With the advent of electronic filing, Rule 9.1 of the Panel Rules shall be satisfied upon transmittal of the portion of the file deemed necessary and requested by the transferee court. Signed by Clerk of the Panel Jeffery N. Luthi on 4/3/2015. Associated Cases: MDL No. 2606, CAS/3:14–cv–01475, IAS/4:14–cv–00450, ILC/3:14–cv–03318, LAE/2:14–cv–00089, LAE/2:14–cv–01762, MT/1:14–cv–00137, OHN/1:14–cv–02515, OHN/1:14–cv–02781, OHN/1:14–cv–02786, OHN/3:14–cv–02672, OHN/4:14–cv–02309, OHN/4:14–cv–02787, OHN/5:14–cv–02671, OHN/5:14–cv–02782, OHN/5:14–cv–02784 (DP) (don,) (Entered: 04/03/2015)
04/07/2015	<u>25</u>	NOTICE : Certified Conditional Transfer Order MDL No. 2606 by Clerk's Office, District of New Jersey. (jm) (Entered: 04/07/2015)
04/07/2015	<u>26</u>	***Civil Case Terminated. Case electronically transferred to District of New Jersey. (jm) (Entered: 04/07/2015)